

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RONALD GONDA,	:	CIVIL ACTION NO. 00-2286
	:	
	:	
Plaintiff,	:	
	:	
v.	:	CHIEF JUDGE AMBROSE
	:	
	:	
METROPOLITAN LIFE INSURANCE	:	
COMPANY and WILLIAM FRIEDT, JR.,	:	
	:	
Defendants.	:	
	:	
	:	

**METROPOLITAN LIFE INSURANCE COMPANY’S AND WILLIAM FRIEDT,
JR.’S MOTION IN LIMINE TO EXCLUDE FROM EVIDENCE PLAINTIFF’S
EXHIBIT NOS. 33, 34, 35, 41, 47, 48, 51, 54, AND 61, DOCUMENTS AUTHORED
BY AND RELATING TO JAMES RAYL**

Metropolitan Life Insurance Company and William Friedt, Jr. (collectively “defendants”) bring this Motion in Limine to Exclude From Evidence Plaintiff’s Exhibit Nos. 33, 34, 35, 41, 47, 48, 51, 54, and 61, documents authored by and relating to James Rayl.

1. In plaintiff’s revised exhibit list dated June 12, 2006, plaintiffs have identified documents authored by and relating to James Rayl. A copy of proposed Exhibit Nos. 33, 34, 35, 41, 47, 48, 51, 54, and 61 are attached as Exhibits B, C and D.¹

2. Plaintiff’s Proposed Exhibit Nos. 33, 34, 35, 41, 47, 48, 51, 54, and 61 should be excluded for the reasons set forth in detail in MetLife’s Brief in Support of its Motion in Limine to Exclude Exhibit Nos. 33, 34, 35, 41, 47, 48, 51, 54, and 61, documents authored by and relating to James Rayl.

¹ Exhibit A is a portion of testimony from the deposition of James Rayl in Rayl v. Metropolitan Life Insurance Co., Inc., CV 97-505.

WHEREFORE, based on all of the foregoing reasons as well as those set forth in the accompanying brief, defendants respectfully requests that this Court bar the introduction of the irrelevant and highly prejudicial Exhibit Nos. 33, 34, 35, 41, 47, 48, 51, 54, and 61, documents authored by and relating to James Rayl.

Respectfully Submitted,

s/ B. John Pendleton, Jr.

B. John Pendleton, Jr.
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Attorneys for Defendant
Metropolitan Life Insurance Company and
William Friedt, Jr.

Dated: June 19, 2006

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 19th day of June, 2006, a true and correct copy of the foregoing **METROPOLITAN LIFE INSURANCE COMPANY AND WILLIAM FRIEDT, JR.'S MOTION IN LIMINE TO EXCLUDE FROM EVIDENCE PLAINTIFF'S EXHIBIT NOS. 33, 34, 35, 41, 47, 48, 51, 54, AND 61, DOCUMENTS AUTHORED BY AND RELATING TO JAMES RAYL** was served upon the following via the electronic filing system:

Kenneth R. Behrend, Esquire
BEHREND & ERNSBERGER, P.C.
Union National Bank Building, 3rd Floor
306 Fourth Avenue
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s/ B. John Pendleton, Jr._____